Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLWING:

- Business Report
- Roll Call Attendance
- Standing Committee
 Reports
- Tabled Bills
- Fiscal Reports etc.
- Roll Call Votes
- Informational Items
- Witness Statements
- Any Documents; such as;
 - *Petitions if any.
 - *Any and all material handed end after the meeting ends.

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BUSINESS REPORT

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

SENATE JUDICIARY COMMITTEE

Date: Thursday, April 4, 2013

Time: 9:00 AM Place: Capitol Room: 303

BILLS and RESOLUTIONS HEARD:

HB 433 - Generally revise laws regarding registration of sexual and violent offenders - Rep. Jesse O'Hara

HJ 13 - Joint Resolution to call on Congress to pass the Violence Against Women Act - Rep. Forrestina (Frosty) Calf Boss Ribs

SJ 22 - Interim study on family law procedure alternatives - Sen. Larry Jent

EXECUTIVE ACTION TAKEN:

SJ 22-DO PASS

HB 345-BE CONCURRED IN AS AMENDED

HB 433-BE CONCURRED IN AS AMENDED

HB 478-BE CONCURRED IN AS AMENDED

HB 403-BE CONCURRED IN AS AMENDED

HB 497-BE CONCURRED IN AS AMENDED

HB 74-BE CONCURRED IN

HB 438-REMOVE FROM THE TABLE/FAILED HB 55-RECONSIDER THE ACTION/FAILED/TIE VOTE

Comments:

MONTANA STATE SENATE

2013 JUDICIARY COMMITTEE

ROLL CALL

DATE: 4 4 13

		7
NAME	PRESENT	ABSENT/ EXCUSED
CHAIRMAN, SENATOR TERRY MURPHY		
VICE CHAIRMAN, SENATOR SCOTT SALES	~	
SENATOR SHANNON AUGARE		
SENATOR ANDERS BLEWETT	\rightarrow	
SENATOR SCOTT BOULANGER		
SENATOR JOHN BRENDEN		
SENATOR ROBYN DRISCOLL		
SENATOR JENNIFER FIELDER		
SENATOR LARRY JENT		
SENATOR CLIFF LARSEN	7	
SENATOR CHAS VINCENT		
SENATOR ART WITTICH		
	:	



April 4, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Joint Resolution 22** (first reading copy -- white) **do pass**.

Signed:

Senator Terry Murphy, Chair

- END -

Committee Vote:
Yes 12, No 0
Fiscal Note Required ___



April 4, 2013 Page 1 of 2

Mr. President:

We, your committee on Judiciary recommend that House Bill 345 (third reading copy -- blue) be concurred in as amended.

To be carried by Senator Larry Jent

And, that such amendments read:

1. Page 4.

Following: line 13

Insert: "(b) The production of a record pursuant to Article II, section 9, of the Montana constitution or Title 2, chapter 6, is not a public disclosure for purposes of this section." Renumber: subsequent subsections

2. Page 4, line 24.

Following: "STATE"

Insert: "unless the officer or employee has a financial interest in the conduct upon which the complaint or civil action arises"

3. Page 5, line 8.

Following: line 8

Insert: "(8) If a governmental entity does not intervene, the person who initiated the action has the same right to conduct the action as the government attorney would have had

Committee Vote:

Yes 12, No 0

Fiscal Note Required

HB0345001SC13542.swr

if the governmental entity had intervened, including the right to inspect government records and interview officers and employees of the governmental entity."

- END -



April 4, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 433** (third reading copy -- blue) **be concurred in as amended**.

Signed:

Senator Terry-Murphy, Chair

To be carried by Senator Robyn Driscoll

And, that such amendments read:

1. Page 2, line 8.
Following: "any"

Insert: "subsequent"

- END -

Committee Vote: Yes 12, No 0 Fiscal Note Required __



April 4, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 74** (third reading copy -- blue) **be concurred in**.

Signed:

Sengtor Terry Murphy, Chair

To be carried by Senator Anders Blewett

- END -

Committee Vote: Yes 7, No 5 Fiscal Note Required ___



April 4, 2013 Page 1 of 3

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 478** (third reading copy -- blue)

be concurred in as amended.

Signed: // // // Senator Terry Murphy, Chai

To be carried by Senator Elsie Arntzen

And, that such amendments read:

1. Title, page 1, line 7 through line 9.

Strike: line 7 through "APPROPRIATION;" on line 9

2. Page 1, line 16 through page 2, line 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 5, line 15.

Strike: "4"
Insert: "3"

4. Page 8, line 28 through page 11, line 4.

Strike: section 9 through section 11 in their entirety

Renumber: subsequent sections

5. Page 11, line 11.

Strike: "4"
Insert: "3"
Strike: "5"

Committee Vote:

Yes 11, No 1

Fiscal Note Required ___

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Insert: "4"
6. Page 13, line 3.
Strike: "4"
Insert: "3"
7. Page 13, line 5.
Strike: "5"
Insert: "4"
8. Page 15, line 7.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"
9. Page 16, line 4.
Strike: "4"
Insert: "3"
10. Page 16, line 5.
Strike: "5"
Insert: "4"
11. Page 17, line 25.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"
12. Page 18, line 9.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"
13. Page 18, line 17.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"
14. Page 20, line 5.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"
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15. Page 20, line 25. Strike: "4" Insert: "3" Strike: "5" Insert: "4" 16. Page 22, line 19. Strike: "4" Insert: "3" Strike: "5" Insert: "4" 17. Page 23, line 16. Strike: "4" Insert: "3" 18. Page 23, line 17. Strike: "5" Insert: "4" 19. Page 24, line 7. Strike: "4" Insert: "3" Strike: "5" Insert: "4" 20. Page 24, line 27. Strike: "4" through "11" Insert: "3 and 4"

21. Page 24, line 29. Strike: "4" through "11"

Insert: "3 and 4"

- END -



April 4, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 403** (third reading copy -- blue) **be concurred in as amended**.

Signed:

Sengtor Terry Murphy, Chair

To be carried by Senator Terry Murphy

And, that such amendments read:

1. Page 1, line 30.

Strike: "50"
Insert: "25"

- END -

Committee Vote:
Yes 12, No 0
Fiscal Note Required ___



April 4, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 497** (third reading copy -- blue) **be concurred in as amended**.

Signed:

enator Terry Murphy, Chair

To be carried by Senator Jennifer Fielder

And, that such amendments read:

1. Page 1, line 12.

Strike: ":"

2. Page 1, line 13 through 14.

Strike: "(a)"

Following: "70-24-103"

Strike: remainder of line 13 through line 14

Insert: "unless the landlord is a participant in the party,

event, or gathering that results in a violation of a social

host ordinance."

3. Page 1, lines 18 and 19.

Following: "gatherings"

Strike: remainder of line 18 through "beverage" on line 19

- END -

Committee Vote: Yes 9, No 3

Fiscal Note Required ___

HB0497001SC15235.swr

DATE 4/4/13	BILL NOSTZZ MOTION NO	
MOTION:	DoPass	

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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		·	
SENATOR JOHN BRENDEN	_		
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER	~ *		
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE	_		,
SENATOR ANDERS BLEWETT	_		
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY			

DATE 4 4 4 BILL NOH834	Smotion	1 NO. 2		
MOTION: Omercel	Longr	34	S.04 A,B	
		. 3	5.04 A/B	a
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes	
VICE CHAIRMAN, SENATOR SCOTT SALES				
SENATOR JOHN BRENDEN	_			
SENATOR JENNIFER FIELDER	_			
SENATOR CHAS VINCENT				
SENATOR SCOTT BOULANGER				
SENATOR ART WITTICH				
SENATOR SHANNON AUGARE				
SENATOR ANDERS BLEWETT	_			
SENATOR ROBYN DRISCOLL	-			
SENATOR LARRY JENT	_			
SENATOR CLIFF LARSEN	-			
CHAIRMAN, SENATOR TERRY MURPHY				

DATE 4/4/13	BILL NOTH 345 MOTION NO.
MOTION:	ReLoneura On a Amondro

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN		·	
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT	-		
SENATOR SCOTT BOULANGER		·	
SENATOR ART WITTICH	_		
SENATOR SHANNON AUGARE	_		
SENATOR ANDERS BLEWETT	_		
SENATOR ROBYN DRISCOLL	-		
SENATOR LARRY JENT	^		
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY			
	j.		

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DATE 4(4/13	BILL NO HB 438 MOTION NO. /
MOTION:	RemoveStomable

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			. –
SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT	-		A
SENATOR SCOTT BOULANGER			
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL	·		
SENATOR LARRY JENT		-	9
SENATOR CLIFF LARSEN		_	
CHAIRMAN, SENATOR TERRY MURPHY			
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Plesents Voting

DATE 4/4/13 BILL NO +1843	3_motion	NO/	
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT	_		
SENATOR SCOTT BOULANGER			
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE		_	
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL	·	_	
SENATOR LARRY JENT		/	
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY			
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DATE 4/4/13	BILL NOT 18438 MOTION NO. 3	
MOTION:	Boloncural Disor Omender	_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT	-		. ,
SENATOR SCOTT BOULANGER		•	
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT	-		
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY	-		

12/0 (Ders cold)

DATE 4/4/13	BILL NO #374 MOTION NO.	1
MOTION:	Reconsider	

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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		-	
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER		~	
SENATOR CHAS VINCENT		_	
SENATOR SCOTT BOULANGER	_		. ,
SENATOR ART WITTICH		-	
SENATOR SHANNON AUGARE	_		
SENATOR ANDERS BLEWETT	-		
SENATOR ROBYN DRISCOLL	_		
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY			
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7/5

DATE 4/4/13	BILL NO 11874 MOTION NO. 2
MOTION:	BeConcurred In

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN	_		,
SENATOR JENNIFER FIELDER		/	
SENATOR CHAS VINCENT		/	
SENATOR SCOTT BOULANGER	1		
SENATOR ART WITTICH		_	
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT	_	0	
SENATOR ROBYN DRISCOLL		2	
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY		_	
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DATE 4 (4/13	BILL NO 18478 MOTION NO. 2	-
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT			8
SENATOR SCOTT BOULANGER	~.		
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN		$\overline{}$	
CHAIRMAN, SENATOR TERRY MURPHY			
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DATE 4	BILL NO HE 47 MOTION NO. 3
MOTION:	BeConcurred In as amender

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER	-		
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER	_		
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT	,		
SENATOR ROBYN DRISCOLL	-		
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY	_		

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DATE 4/9/13 BILL NOHBYD3 MOTION NO. 2			
MOTION: Comerament	_		<u>p16</u> (in 30
		354	
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	_		
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER	_		*
SENATOR ART WITTICH	_		
SENATOR SHANNON AUGARE	(CO)		
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY			

DATE 4 43	BILL NO <u>HBYD3</u> MOTION NO	1
MOTION:	BeConcerned In 180	mer()
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN	_		
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER			
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE	(
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL	-		
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY	_		
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12/0 (Muphy)

MOTION: Comen Sment	497.01 A; b

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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	_		
SENATOR JOHN BRENDEN	_		
SENATOR JENNIFER FIELDER	_		
SENATOR CHAS VINCENT	_		
SENATOR SCOTT BOULANGER	_		~
SENATOR ART WITTICH	_		
SENATOR SHANNON AUGARE			,
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT		·	
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY			
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DATE 4	4/13	BILL NO HB 497 MOTION NO. 3	
MOTION:	Be a	merried In a Centeral	

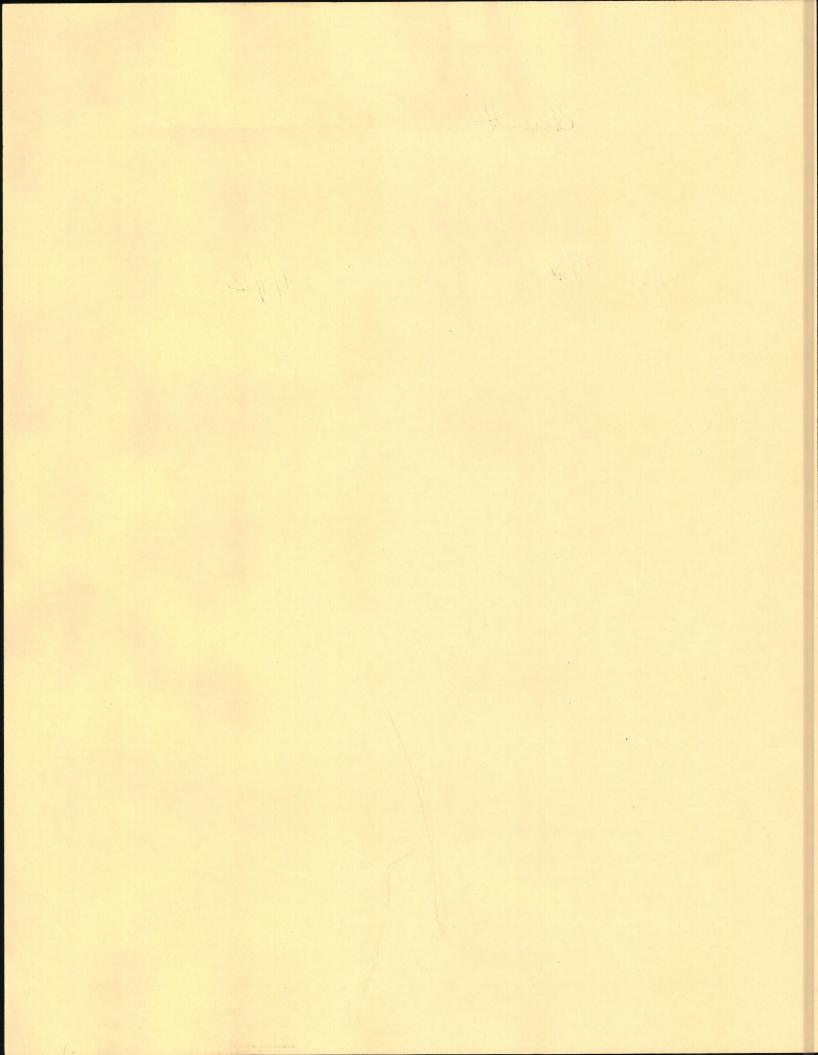
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER			4 .
SENATOR ART WITTICH	_		
SENATOR SHANNON AUGARE			·
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY	_		
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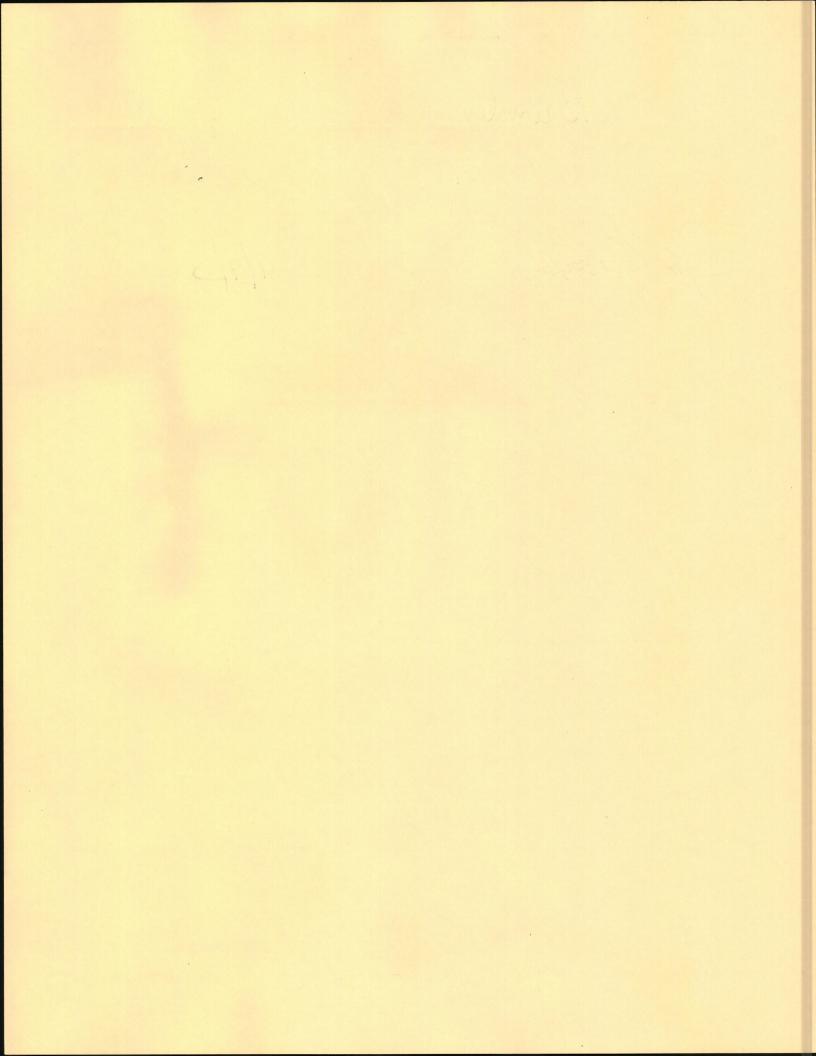
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES			
SENATOR JOHN BRENDEN			
SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT			
SENATOR SCOTT BOULANGER		-	
SENATOR ART WITTICH		_	
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT	_		
SENATOR ROBYN DRISCOLL	-		
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY		_	

SI	ENATE PRO	XY
I, Senator Blews	#	hereby authorize Senator
LARSEN	to	vote my proxy before the
SenateJUDICIARY		meeting held on
, 2013.		
all Bes		4/4/13
Senator Signature (Sen. A.	nders Blewett)	Date
Said authorization is as foll	OWS: (mark only one)	
All votes, including	amendments.	
		ills, and all other votes.
□ Votes only as direct	ed below.	
Bill No./Amendmen	t No. Aye	No

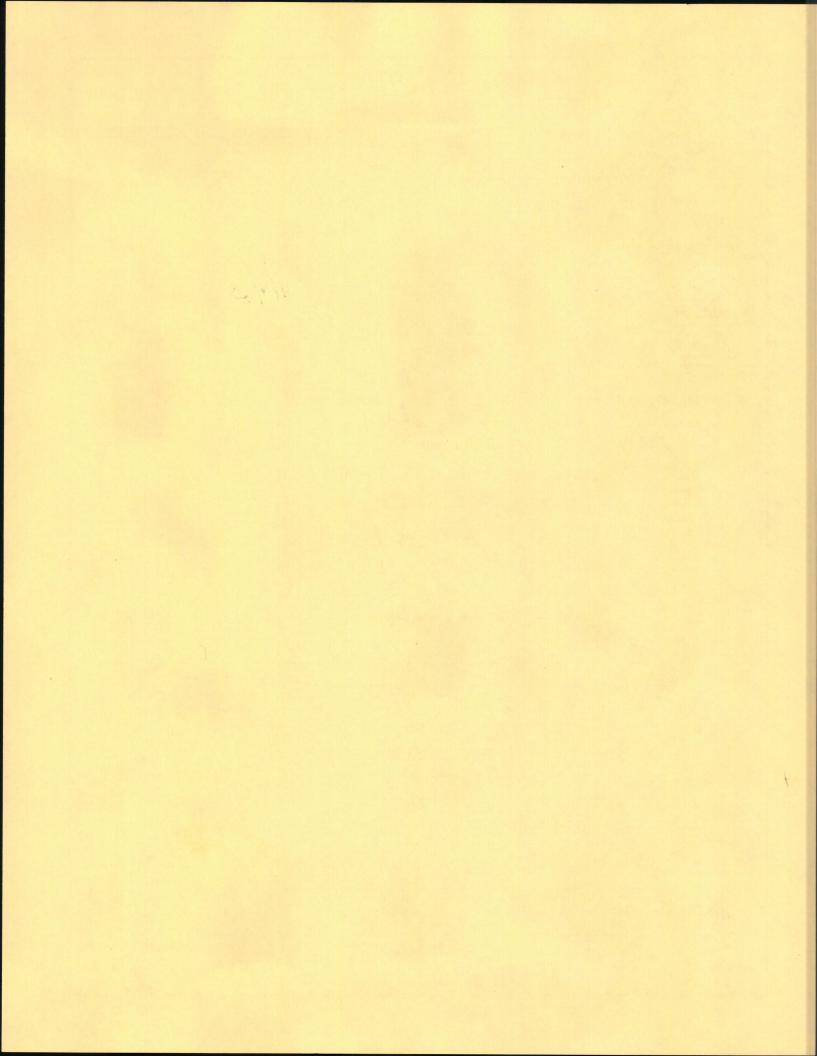


	SENATE	E PRC	YX	
I, Senat	tor_Brewden		, hereb	y authorize Senator
SALE	S			
Senate				eeting held on
	, 2013.			8 8 6
	Im C. Brender			4/4/13
Senator	Signature (Sen. John Brende	n)		Date
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said au	thorization is as follows: (mark	only one)		
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	Votes only as directed below.			
	Bill No./Amendment No.	Aye	No]



C	H.	M	Δ'		E	P	P		Z		J
N	L.	TA.		1		1	TI		1	. 1	L

I, Senat	or Boulanger		, hereby	authorize Senator
	_SALES	to vo	ote my 1	proxy before the
Senate_	_JUDICIARY		meet	ing held on
	, 2013.			
24	5 D BD/		4	14/13
Senator S	Signature Sen. Scott Boular	nger)		Date
Said au	thorization is as follows: (mar	k only one)		
X	All votes, including amendment	nts.		
	All votes as directed below on	the listed l	bills, and	all other votes.
	Votes only as directed below.			
	Bill No./Amendment No.	Aye	No	



MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Thursday, April 4, 2013 HB 433 - Generally revise laws regarding registration of sexual and violent offenders

Sponsor: Rep. Jesse O'Hara

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Jon Bennion	Attorney General		эррэээ	
LEO GALLAGHED	1.1.1.1	1		
Jed C. Fitch	Beareshed Courty Attu			
Fun Fax	MT A. A. S. Suchias	1/		
John Janke	Cascade County A Havey	1		
Bill Felbright	Devall' C. Alle tarcas	V		
Migail St. Lawrence	Mont. Assot. of Churches	V		
- Cingilla Jan Jan Jan Jan	O'WYO'. STYNIC, O'T OMWYMEY			

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Thursday, April 4, 2013 HJ 13 - Joint Resolution to call on Congress to pass the Violence Against Women Act

Sponsor: Rep. Forrestina (Frosty) Calf Boss Ribs

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Name	Representing	Support	Oppose	Info
Linda Comazan	MCADSU WORKS LAPOPE	u X		
Linda Gryczan Soeval Rossi	11/2/105:1			
FLVON POSSI	NCADSU			
			***************************************	AND THE PERSON OF THE PERSON O

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Thursday, April 4, 2013
SJ 22 - Interim study on family law procedure alternatives
Sponsor: Sen. Larry Jent

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PLEASE PRINT Name	Donner and in m			
A	Representing	Support	Oppose	Info
CORBIN-tOWARD	SELF			
Christophe Manos	State Bor of MI	X		
Ed BARTHEY	MT INDOFE PALOS			
Beth Baker	SELF State Bar of MT MT INDEES ASSOC, MT Supreme Court	1		
				-
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.